

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

THE TRAVELERS INDEMNITY  
COMPANY OF AMERICA *as subrogee of*  
*Fort Lee EP, LLC*

Civil Action No.: 16-cv-3632 (JLL)

**ORDER**

Plaintiff,

v.

GARDEN WORKS *et al*,

Defendants.

**LINARES**, District Judge.

WHEREAS pending before the Court is a motion for default judgment as to Defendant Garden Works (ECF No. 13); and

WHEREAS counsel for Garden Works entered an appearance on the record on October 31, 2016 (ECF No. 14); and

WHEREAS on November 3, 2016, the Honorable Joseph A. Dickson held a Rule 16 conference with the parties in the above captioned matter, at which counsel for Garden Works was present; and

WHEREAS at the November 3, 2016 status conference, Plaintiff's counsel agreed to withdraw the pending motion for default judgment (ECF No. 13),

IT IS on this 3<sup>rd</sup> day of November, 2016

**ORDERED** that the motion for default judgment (ECF No. 13) is hereby deemed WITHDRAWN.

IT IS SO ORDERED.

/s/ Jose L. Linares  
JOSE L. LINARES, U.S.D.J.